

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING AND BILLING

the specification of which was filed October 27, 1995 as Application Serial No. unknown, via Express Mail No. TB875314374US.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

And, I hereby appoint Richard H. Evans (R. No. 19,755), John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), A. Ralph Navaro, Jr. (R. No. 23,050), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Joseph R. Jordan (R. No. 25,686), Wayne L. Jacobs (R. No. 35,553), Kurt A. Summe (R. No. 36,023), Keith R. Haupt (R. No. 37,638), Kevin G. Rooney (R. No. 36,330), C. Richard Eby (R. No. 25,854), Theodore R. Remaklus (R. No. 38,754), Thomas W. Humphrey (R. No. 34,353), David E. Pritchard (R. No. 38,273), J. Dwight Poffenberger, Jr. (R. No. 35,324), Stephen W. Barns (R. No. 38,037) and, of counsel, Herbert C. Brinkman (R. No. 16,955) in care of Wood, Herron & Evans, 2700 Carew Tower, Cincinnati, Ohio 45202, and telephone No. 513-241-2324, my attorneys/agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence should be sent to Thomas W. Humphrey, Wood, Herron & Evans, 2700 Carew Tower, Cincinnati, Ohio 45202.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Chris C. Smith

Full name of inventor

Inventor's Signature

Date

United States

Citizenship

Edgewood, Kentucky

Residence

6 Sanctuary Court, Edgewood, KY 41017

Post Office Address

Kenneth W. Edwards

Full name of inventor

Inventor's Signature

Date

United States

Citizenship

Independence, Kentucky

Residence

1186 Constitution Drive, Independence, KY 41051

Post Office Address

Applicant : Chris C. Smith, Kenneth W. Edwards
Attorney Docket No. : TRAK/02/222
Serial No. : 08/549,380
Filed : October 27, 1995
For : FULLY AUTOMATED VEHICLE DISPATCHING MONITORING AND BILLING

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN ✓

I hereby declare that I am an official of the small business concern identified below and am empowered to act on behalf of the concern:

NAME OF CONCERN Total Technology, Inc.
ADDRESS OF CONCERN 607 W. McMicken Avenue, Cincinnati, Ohio 45214

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FULLY AUTOMATED VEHICLE DISPATCHING MONITORING AND BILLING by inventor(s) Chris C. Smith and Kenneth W. Edwards described in the specification attached hereto.

The above small business concern has not assigned, granted, conveyed or licensed and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(a).

No such assignments have been made or are obligated to be made.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or patent to which this verified statement is directed.

Chris C. Smith
NAME OF PERSON SIGNING

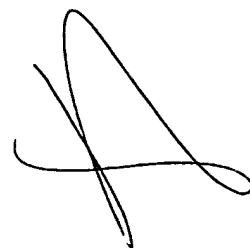
Pres.
TITLE OF PERSON SIGNING

5162 Fairway Oaks Dr. Windermere, FL 34796
ADDRESS OF PERSON SIGNING

Chris C. Smith
SIGNATURE

11/26/97
DATE

26 OCT 1997 04:30:30



ASSIGNMENT OF INVENTION AND PATENTS THEREON

For valuable consideration, we, Chris C. Smith, of Edgewood, Kentucky and Kenneth W. Edwards, of Independence, Kentucky hereby assign to, Trak Software, Inc., a corporation under the laws of the State of Ohio, having a principal place of business at 1 Sperti Drive, Covington, KY 41017, its successors and assigns (collectively hereinafter called "the Assignee"), our entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent Serial No. 08/549,380, filed October 27, 1995, entitled FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING AND BILLING, this assignment including said application, any continuation, division or continuation-in-part thereof and/or substitute therefor, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in his own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and agree for myself and my heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cincinnati, Ohio
this 26th day of November, 1997

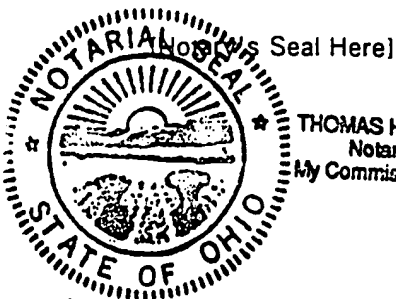
Chris C. Smith
Chris C. Smith L.S.

STATE OF Ohio :
COUNTY OF Hamilton :ss.

Before me this 26th day of November, 1997, personally appeared Chris C. Smith known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

[Signature]
Notary Public

My Commission Expires: NO EXPIRATION DATE



THOMAS HUMPHREY, Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Section 147.03

IN WITNESS WHEREOF, I hereto set my hand and seal at _____
this _____ day of _____, 19 97

Kenneth W. Edwards L.S.
Kenneth W. Edwards

STATE OF _____ :

:ss.

COUNTY OF _____ :

Before me this _____ day of _____, 19 97, personally appeared Kenneth W. Edwards known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

My Commission Expires:

[Notary's Seal Here]

ASSIGNMENT OF INVENTION AND PATENTS THEREON

For valuable consideration, Trak Software, Inc., a corporation under the laws of the State of Ohio, having a principal place of business at 1 Sperti Drive, Covington, KY 41017 (hereinafter called "the Assignor") hereby assigns to, Total Technology, Inc., a corporation under the laws of the State of Ohio, having a principal place of business at 607 W. McMicken Avenue, Cincinnati, Ohio 45214, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent Serial No. 08/549,380, filed October 27, 1995, entitled FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING AND BILLING, this assignment including said application, any continuation, division or continuation-in-part thereof and/or substitute therefor, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and Assignor authorizes the Assignee to apply in all countries in Assignor's name or in Assignee's own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and Assignor agrees for itself and its heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cincinnati, Ohio this 26th day of November, 1997

Trak Software, Inc.

Chris C. Smith L.S.
By: Chris C. Smith
President

STATE OF Ohio :
COUNTY OF Hamilton :ss.

Before me this 26th day of November, 1997, personally appeared Chris C. Smith known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he is authorized to execute the foregoing Assignment on behalf of the Assignor, and that executed the same as his free act and deed for the purposes therein contained.

[Signature]
Notary Public

My Commission Expires: NO EXPIRATION DATE



THOMAS HUMPHREY, Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Section 147.03